

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION AT MACON GEORGIA

THE UNITED STATES OF AMERICA, :
VS : Case No. 3:06-CR-41
: November 15, 2006
LORRICO HOWARD : Macon, Georgia
DANA BULLOCK, :
DEFENDANTS. :

PARTIAL TRANSCRIPT OF DETENTION HEARING
OF WITNESS AUTUMN LAY

BEFORE THE HONORABLE CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE, PRESIDING

APPEARANCES:

FOR THE GOVERNMENT: TAMARA JARRETT, AUSA
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AUTUMN LAY

DIRECT EXAMINATION

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BY MR. SEDGHI

CROSS EXAMINATION

5

BY MS. JARRETT

CROSS EXAMINATION

15

BY MR. CHRISTIAN

1 P R O C E E D I N G S

2 November 15, 2006

3 **AUTUMN LAY**

4 Witness, having first been duly sworn, testified on

5 DIRECT EXAMINATION

6 BY MR. SEDGHI:

7 Q Mrs. Lay, where do you live?

8 A 439 South Rock Springs Street.

9 THE COURT: Pull that microphone up a little bit and
10 speak into it, please ma'am.

11 THE WITNESS: 439 South Rock Springs Street.

12 Q MR. SEDGHI: Do you know Mr. Howard?

13 A Yes, that's my son.

14 Q That's your son, okay. Could you tell us where Mr. Howard
15 was living?

16 A 297 Hawthorn.

17 Q 297 Hawthorn. And who lives there with him?

18 A My mother. As of four weeks, three and a half, four weeks
19 ago Dana and my mother and Marie (unintelligible).

20 Q What's your mother's name?

21 A Virginia Lay.

22 Q And how long has Mr. Howard been living at that address?

23 A He has always lived there.

24 Q His whole live?

25 A When he was young. Since he was -- he stayed with me up

1 until he got, I guess, 18, I mean -- he was 18, 17.

2 Q Okay.

3 A He just started living there when he started working.

4 Q Where does Mr. Howard work at?

5 A He was working at Zom Bates.

6 Q And what happened to that job?

7 A The night that this supposedly happened, I don't know he
8 just told me he was taking a vacation, he was taking his
9 vacation.

10 Q Okay. And do you know if he is looking for any other jobs?

11 A Yeah, he is suppose to got hired at Super Wal-Mart in
12 Athens on Oconee that Wednesday that the Marshals came out to get
13 him.

14 Q Did he go out there and talk with the folks at the Super
15 Wal-Mart?

16 A He went Monday and they say you could call to verify that,
17 the 6th, I think they say it was, of November.

18 Q So as far as you know he has a job at Super Wal-Mart?

19 A Yeah, he is suppose to be called. They called.

20 Q Has Mr. Howard attempted to leave town in any way?

21 A No. They have been at my mom's house. Not trying to go any
22 where. No one has been there looking for him.

23 Q And, of course, we already talked about the money, the money
24 is in your possession, is that correct, ma'am?

25 A Yes, sir.

1 Q And this is Ms. Bullock's money?

2 A Yes, Dana worked and saved her money all her life.

3 Q She asked you to keep the money for her?

4 A Yes, she did.

5 MR. SEDGHI: That's all the question I have, Your Honor.

6 THE COURT: Any questions from the government's counsel?

7 MS. JARRETT: Yes, Your Honor.

8 CROSS EXAMINATION

9 BY MS. JARRETT:

10 Q Good morning ma'am, my name is Tamara Jarrett and I'm
11 the prosecutor in this case. Would you please tell me your
12 first name again?

13 A Autumn, A-U-T-U-M-N (spelling).

14 Q And you are Lorrico Howard's mother?

15 A Yes, I am.

16 Q And you were telling me that Dana Bullock gave you over
17 \$20,000 in cash?

18 A No, she didn't give me \$20,000.

19 Q Well, how much did she give you?

20 A I think it was 13.

21 Q 13,000?

22 A Yeah.

23 Q And that was in cash?

24 A Yes.

25 Q And you still have that money?

1 A Yes.

2 Q And where is that money located?

3 A At my home.

4 Q And that is 439 Rock Springs Street in Athens, Georgia?

5 A Yes, South Rock Spring Street.

6 Q Southwest?

7 A South Rock Spring Street.

8 Q South. And where were you when Ms. Bullock gave you \$13,000
9 in cash?

10 A At my mom's.

11 Q And where would that be?

12 A 297 Hawthorn.

13 Q And at the time what did Ms. Bullock tell you you were
14 supposed to do with those \$13,000?

15 A Please keep it and don't let nobody get it, that's all she
16 got to help take care of her child.

17 Q And what -- and you are aware that your son sold a 2000 Chevy
18 Tahoe, aren't you?

19 A No, I'm not.

20 Q So he has never owned that car?

21 A I've seen him drive it. I don't know who owned it.

22 Q So you have seen him drive it a lot?

23 A Yes. I have seen him drive it.

24 Q And you've all seen him driving a white Nissan Altima,
25 haven't you?

1 A I saw him drive that car one day. He was driving -- when
2 they saw that car he was not driving that car.

3 Q But he did tell you that that car was sold, didn't he?

4 A What car.

5 Q The 2000 Tahoe?

6 A Yeah. I asked him where the truck went.

7 Q And I'm sure he told you that they got a good price for it,
8 didn't he?

9 A I don't get into all that ma'am with them about what they
10 do.

11 Q You don't. So they did not tell you they got \$12,000 for
12 that?

13 A No, no ma'am, I didn't even ask him that.

14 Q And you have no idea where those \$12,000 are at now?

15 A No, I don't.

16 Q And were you aware ma'am that on September 28th Ms. Bullock
17 withdrew between the 27th and the 28th Ms. Bullock withdrew
18 \$20,000 out of a bank account?

19 A I don't know how much she withdrew. I know she withdrew her
20 money out.

21 Q But if there was documentation from the bank you wouldn't
22 dispute that, would you?

23 A No, I wouldn't.

24 Q And you would agree with me that \$13,000 is definitely less
25 than \$20,000?

1 A Right.

2 Q And you obviously have no idea where that additional
3 thousands of dollars went?

4 A 4,000 went to an attorney.

5 Q Whose attorney?

6 A Marie (unintelligible). I had --

7 Q And what is that attorney's name?

8 A Jeff Rothman.

9 Q So Ms. Bullock paid \$4,000 for Mr. Lorrico Howard?

10 A She let me borrow the money.

11 Q Who borrowed it?

12 A Me.

13 Q You borrowed it?

14 A Yes.

15 Q And you have a promissory note, obviously?

16 A No, just by mouth, word.

17 Q Just by mouth?

18 A Yes, ma'am.

19 Q So you have agreed to pay back Ms. Bullock \$4,000?

20 A Yes.

21 Q So originally she had in her possession \$17,000?

22 A I don't know what she had ma'am. I just know what she gave
23 me.

24 Q Well, you have 13,000 right now, correct?

25 A Right.

1 Q And then she loaned you \$4,000, correct?

2 A Right.

3 Q So that would be 17,000, wouldn't it?

4 A I'm just saying -- I don't know -- You said did I know she
5 had it in her possession. I can't say exactly where she had
6 it --

7 Q Let me re-explain it, ma'am?

8 A Okay.

9 Q You agree with me, you've told the court you have \$13,000 in
10 your hand?

11 A Right.

12 Q And you have told the court that Ms. Bullock loaned you
13 \$4,000; is that correct?

14 A Yes, ma'am.

15 Q And when did she lend you this money?

16 A I think October 10th, 9th or 10th, I think and I went and
17 paid the attorney.

18 Q So would it be fair to say that between September 28th when
19 she gave you the \$13,000 and October 10th when you borrowed
20 \$4,000, that at some point Ms. Bullock had \$17,000?

21 A Yes.

22 Q And you're telling us that those \$17,000, this lady has saved
23 from minimum payment jobs?

24 A Minimum payments?

25 Q Yes. She earns minimum wage when she works, doesn't she?

1 A No. Minimum wage is \$5.00; isn't it?

2 Q Minimum wage is higher than \$5.00. Well, let's assume she
3 makes \$10.00 an hour.

4 A Yes, ma'am.

5 Q So you're telling this court that she amassed \$20,000 by
6 working minimum wage --

7 A Between what her father and her mother have given her and
8 jobs and --

9 Q Well, tell me how much money her father has given her?

10 A A good bit.

11 Q Well, what's a good bit? 50,000, 10,000, 100,000?

12 A I don't know. He gave her lump sums at a time because he
13 lived out of town, I know that.

14 Q And --

15 A I can't say the actual amounts ma'am. I know he gave her
16 5,000 last year at one time.

17 Q And were you there when that happened?

18 A I was there when he came and said he was looking for her to
19 give it to her. I wasn't there when he handed her money, no.

20 Q And you surely asked -- asked you son's girlfriend how much
21 money it was?

22 A No, ma'am.

23 Q So you don't know if it was given in cash or in check or
24 cashier's check or gold?

25 A I assume it was cash. No, I don't know, I can't say.

1 Q How much money did Ms. Bullock's mother give her?

2 A I don't know the actual amounts. I just know they help
3 her, ma'am. I can't say. I know she was pregnant and couldn't
4 work.

5 Q Ma'am, she was pregnant six years ago.

6 A No, ma'am. I just lost my grand baby in May.

7 Q I see. I'm sorry to hear that. Now, you were saying she was
8 out of work for that reason?

9 A Yeah, for a year.

10 Q For a year she was out of work?

11 A Before that, yeah.

12 Q And so her family was giving her money?

13 A Helping her, yeah.

14 Q And so was your son?

15 A What? My son what?

16 Q Giving her money.

17 A I don't know about him giving money. I don't know nothing
18 about him giving her money.

19 Q Well, you would agree with me that they lived together?

20 A I don't know that for a fact.

21 Q You do not?

22 A No, ma'am. I know he spent nights with her. I can't say he
23 lived --

24 Q So if Mr. Lorrico Howard's over 100 pairs of tennis shoes and
25 his clothes were at 1112 Nash Court, that doesn't mean that he

1 lives --

2 A How can you say those were his shoes and she's got brothers.

3 Q Oh, so you're saying her brothers live with her at 1112 Nash
4 Court?

5 A No, ma'am. I'm not saying that. Her brothers are
6 incarcerated.

7 Q I see. And how long have her brothers been incarcerated?

8 A For years.

9 Q And would that be Carlton Watson, one of them?

10 A That's one of her brothers.

11 Q And so you're saying that the clothes that the officers found
12 at 1112 Nash Court could not have belonged to your son?

13 A No, I didn't say that ma'am.

14 Q Then what are you saying?

15 A You asked me did he live there. You didn't ask me about the
16 clothes.

17 Q Well, please define to the Court what living means, because
18 perhaps you and I have different definitions.

19 A Live there all the time. Live there.

20 Q So are you saying --

21 A That's his residence, that's his address.

22 Q So are you saying that that's not his residence?

23 A I wouldn't say it's his residence.

24 Q Where is his --

25 A Because he's at my mom's house just as much as he's there.

1 Q Well, at night time, how many times at night was he living
2 with Ms. Bullock?

3 A Well, he worked at night. I don't know ma'am. He got off at
4 2:00 or 3:00 o'clock in the morning. I couldn't say exactly where
5 he slept at --

6 Q So you have no idea --

7 A -- at all times.

8 Q -- where he slept?

9 A Not all the time, no, ma'am.

10 Q And you were telling us earlier that allegedly he was working
11 at Zom Bate, but he left that job?

12 A I wouldn't say left. All I know is he said he might go on
13 vacation, that's all I know.

14 Q And that was after the search on September 27, 2006, wasn't
15 it?

16 A Yes, ma'am.

17 Q And are you aware that Mr. Howard told his employers he was
18 taking an emergency leave?

19 A No, I'm not aware of what he told his employer.

20 Q But these people would have no reason to make things up,
21 would they?

22 A No, ma'am. I don't know these people.

23 Q And have you given Ms. Bullock or Mr. Howard some money to
24 help them out?

25 A Help them -- me?

1 Q Yes, ma'am.

2 A No, ma'am. I don't have any money.

3 Q So you have not ever given them any money?

4 A I don't have any to give.

5 Q And as far as you know, whatever money was at Wachovia Bank
6 this lady saved over her years of employment and people giving her
7 money?

8 A As far as I know, ma'am.

9 Q And it had nothing to do with drugs?

10 A No, ma'am. I know that definitely. She had money before she
11 even knew Lorrico Howard.

12 Q I see. Now the \$2,500 that were found in a gentleman's
13 jacket in Ms. Bullock's house that money didn't belong to Mr.
14 Howard, did it?

15 A I don't know ma'am. I don't even know what jacket and money
16 you're speaking of. I can't say. I don't know. I don't even
17 know what jacket.

18 Q You found out when this house was searched, didn't you?

19 A Yeah, I found out.

20 Q And surely you talked to your son and said, what happened?

21 A I didn't ask him any questions because I didn't want to have
22 anything to say or do with it because I don't --

23 Q I see. You weren't interested in finding out why this home
24 was searched and what, if anything, was going on?

25 A What do you mean interested?

1 MR. SEDGHI: Your Honor, I'm going to object. This is
2 sort of outside of the scope of the direct examination of the
3 witness here.

4 THE COURT: Comments Ms. Jarrett?

5 MS. JARRETT: Your Honor, it goes as to the witness
6 credibility as well as the risk of flight of this individuals and
7 what they knew.

8 THE COURT: I think we're beginning to go round in
9 circles on this.

10 MS. JARRETT: Yes, Your Honor.

11 THE COURT: Just wind up your examination.

12 MS. JARRETT: Yes, sir.

13 Q **MS. JARRETT**: Ma'am, you were telling us at this point that
14 you are in possession of this money?

15 A Yes, ma'am.

16 Q And you are not giving this money to anybody because it does
17 not belong to you?

18 A Yes, ma'am.

19 MS. JARRETT: Thank you, Your Honor.

20 THE COURT: Other questions from either counsel.

21 MR. SEDGHI: I have one, Your Honor. (Intelligible)
22 real quick so the court doesn't think I'm misleading.

23 CROSS EXAMINATION

24 BY MR. CHRISTIAN:

25 Q Do you remember when I came back there and asked you how much

1 you had?

2 A Uh-huh. (Affirmative).

3 Q Did you tell me \$20,000?

4 A No, I didn't.

5 Q What did you say?

6 A I said 12 or 13.

7 Q Okay, so I just misunderstood you?

8 A Yeah. If you said 20 yeah, you did.

9 Q Well, you heard me come up and tell the court that you had
10 every penny. You heard me tell the court that, right?

11 A Yes.

12 Q Okay.

13 MR. CHRISTIAN: Thank you, that's all. Thank you Ms.
14 Lay.

15 MR. SEDGHI: I don't have any other questions.

16 THE COURT: You may step down now. Other witnesses for
17 your client, Mr. Sedghi?

18 MR. SEDGHI: No, Your Honor.

19 THE COURT: Or further proffers?

20 MR. SEDGHI: No, Your Honor.

21 THE COURT: The next question is, where are we in this
22 matter.

23

24 (Stopped transcribing hearing after Ms. Lay per Ms. Tamara
25 Jarrett).

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/s TAMMY W. FLETCHER CCR, USCR
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA

DATE: December 29, 2006